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PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEA-BED AUTHORITY
AND FOR THE INTERNATIONAL TRIBUNAL
FOR THE LAW OF THE SEA
New York, 13-31 August 1990

LETTER DATED 17 AUGUST 1990 FROM THE CHAIRMAN OF THE DELEGATION OF CHINA ADDRESSED TO THE CHAIRMAN OF THE PREPARATORY COMMISSION

I should like to convey, through you, the following information to the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea on behalf of the Government of the People's Republic of China.

Since the mid-1970s the relevant departments of the Chinese Government have conducted surveys and prospecting activities for the mining of polymetallic nodules in the international sea-bed Area of the north-eastern Pacific Ocean. As a result of these activities, certain areas have been delineated for the purpose of registering a mine site with the Preparatory Commission under the régime for pioneer investors contained in resolution II of the Third United Nations Conference on the Law of the Sea.

The People's Republic of China, as a prospective certifying State under resolution II, has already undertaken consultations with certain other prospective certifying States to ensure that the area in respect of which an application is to be made by the People's Republic of China to the Preparatory Commission does not overlap with the areas of other potential applicants.

Having made this effort, the Government of the People's Republic of China considers that it has fully complied with the provisions of paragraph 5 (a) of resolution II and will thereafter proceed, as a certifying State, to submit an

application for registration as a pioneer investor under the provisions of resolution II.

I should be grateful if you would arrange for this letter to be circulated as an official document of the Preparatory Commission.

(Signed) CHEN Bingxin
Chairman of the delegation of the
People's Republic of China to the
eighth session (summer session) of
the Preparatory Commission for the
International Sea-Bed Authority and
for the International Tribunal for
the Law of the Sea

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PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEA-BED AUTHORITY
AND FOR THE INTERNATIONAL
TRIBUNAL FOR THE LAW OF THE SEA
New York, 13-31 August 1990

RECEIPT OF APPLICATION FROM THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA FOR REGISTRATION OF THE CHINA OCEAN MINERAL RESOURCES RESEARCH AND DEVELOPMENT ASSOCIATION AS A PIONEER INVESTOR UNDER RESOLUTION II OF THE THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA

Note by the Secretary-General

1. In accordance with the procedures and guidelines for registration of pioneer investors under resolution II of the Third United Nations Conference on the Law of the Sea, as contained in annex II of document LOS/PCN/27 dated 8 September 1983, the Secretary-General wishes to inform the Preparatory Commission that on 22 August 1990 the Special Representative of the Secretary-General for the Law of the Sea received from the Permanent Representative of the People's Republic of China to the United Nations a letter dated 20 August 1990, addressed to the Chairman of the Preparatory Commission, submitting on behalf of the China Ocean Mineral Resources Research and Development Association an application to the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea for registration as a pioneer investor under the provisions of resolution II. The texts of the covering letter and of the application submitted are annexed hereto.

2. The application was accompanied by a sealed package said to contain details relating to the application.

3. The Government of the People's Republic of China signed the United Nations Convention on the Law of the Sea on 10 December 1982.

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Annex

Letter dated 20 August 1990 from the Permanent Representative of the People's Republic of China to the United Nations addressed to the Chairman of the Preparatory Commission

Pursuant to resolution II of the Third United Nations Conference on the Law of the Sea and the statement on the implementation of resolution II of the Preparatory Commission of 5 September 1986 (LOS/PCN/L.41/Rev.1, annex) and the statement of understanding on the implementation of resolution II of 10 April 1987 (LOS/PCN/L.43/Rev.1), I have the honour hereby to submit, on behalf of the Chinese Government, the application to the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea for registration of the China Ocean Mineral Resources Research and Development Association as a pioneer investor and for the allocation of a pioneer area.

(Signed) LI Daoyu
Permanent Representative and Ambassador
Extraordinary and Plenipotentiary of the
People's Republic of China to the
United Nations

20 August 1990, New York

APPLICATION OF THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA FOR REGISTRATION OF THE CHINA OCEAN MINERAL RESOURCES RESEARCH AND DEVELOPMENT ASSOCIATION AS A PIONEER INVESTOR

Contents

Application of the Government of the People's Republic of China for Registration of the China Ocean Mineral Resources Research and Development Association as a Pioneer Investor

Annex I: Certificate of Expenditure Concerning Pioneer Activities

Annex II: General Review of Deep-sea Polymetallic Nodules Resources Survey in China (confidential)

A. Introduction

B. Methods and Means Used for Survey

C. General Features of the Application Area

D. Delineation Plan for the Application Area and Evaluation of the Estimated Values

Annex III: Technical Data for the Application Area, and Figures and Tables (confidential)

Figure 1. Overview map of locations of the application area of China (one page, confidential)
Scale: 1:10,000,000

Figure 2. Disposition of sectors in the application area of China (one page, confidential)
Scale: 1:5,000,000

Figure 3. Sea-bed topographic map of the application area of China (5 pages, confidential)
Scale: 1:1,000,000

Figure 4. Map indicating the distribution of sample locations, grade and abundance of polymetallic nodules in the application area of China (5 pages, confidential)
Scale: 1:1,000,000

Contents (continued)

Table 1. Co-ordinates of the turning-points of the application area of China (12 pages, confidential)

Table 2. Statistics of the amounts of polymetallic nodule resources in the application area of China (2 pages, confidential)

Table 3. Co-ordinates, metal contents and abundance of polymetallic nodules, and water depths of various stations in China's application area (13 pages, confidential)

Table 4. Survey equipment and analytical instruments (2 pages, confidential)

APPLICATION OF THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA FOR REGISTRATION OF THE CHINA OCEAN MINERAL RESOURCES RESEARCH AND DEVELOPMENT ASSOCIATION AS A PIONEER INVESTOR

1. The People's Republic of China signed the United Nations Convention on the Law of the Sea on 10 December 1982.

2. Since the mid-1970s, exploration for mineral resources on the deep-sea bed has been conducted by several departments of China concerned and a national programme has been established for the survey, research and development of the deep-sea polymetallic nodule resources. Scores of survey cruises for polymetallic nodules in the Equatorial Pacific Ocean, Central Pacific Ocean Basin and eastern Pacific Ocean Basin have been carried out by R/Vs "Xiangyanghong 5", "Xiangyanghong 16" and "Haiyang 4" with a total surveyed area of more than 2,000,000 km^2. The total expenditure incurred was more than 180 million yuan renminbi (about $US 60 million). An application area totalling 300,000 km^2 has been delineated in the Pacific area between 7°-13°N, 138°-157°W, in accordance with the following indexes: (a) a mean sea-bed nodule abundance greater than 5 kg/m^2; (b) nodule grade (content of copper, nickel and cobalt combined) greater than 1.8 per cent; and (c) sea-bed slope less than 5°. The application area is of sufficient estimated commercial value to allow two mining operations.

3. China is comparatively rich in land-based mineral resources, but its per capita possession of mineral resources is much lower than that of the world average. In order to meet national economic development requirements, a portion of the manganese, copper, cobalt, etc. needed by the country is being imported. The reason for China's application regarding the said international sea-bed areas is to develop, under the principles set out in the United Nations Convention on the Law of the Sea, new sources of mineral resources so as to meet part of the country's need, and also to make a contribution to the whole of mankind in the exploitation of the international sea-bed.

4. Pursuant to resolution II of the Third United Nations Conference on the Law of the Sea and the statement on the implementation of resolution II of the Preparatory Commission of 5 September 1986 (LOS/PCN/L.41/Rev.1, annex) and the statement of understanding on the implementation of resolution II of 10 April 1987 (LOS/PCN/L.43/Rev.1), the Chinese Government submits, on behalf of the China Ocean Mineral Resources Research and Development Association, hereinafter referred to as COMRA, the application to the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea for registration as a pioneer investor and for the allocation of a pioneer area.

Applicant:

(a) Name: China Ocean Mineral Resources Research and Development Association (COMRA)

(b) Mailing Address: 1 Fuxingmenwai Ave.
Beijing 100860, China

(c) Telephone: (01) 867283

(d) Telex: 22536 NBO CN

5. COMRA is a state-owned enterprise. It has been sufficiently supported and efficiently controlled by the State Oceanic Administration, Ministry of Geology and Mineral Resources, Ministry of Metallurgical Industry and China National Nonferrous Metals Industry Corporation.

6. The People's Republic of China as a certifying State ensures that the areas in respect of which application is made do not overlap with pioneer areas and reserved areas already delineated or with those claimed by the pioneer investors referred to in paragraph 1 (a) (ii) of resolution II of the Third United Nations Conference on the Law of the Sea. China has taken steps to make sure that the application area does not overlap with the areas claimed by the already known potential pioneer investors.

7. The application area is a part of the international sea-bed area as defined in article I, paragraph 1, of the United Nations Convention on the Law of the Sea and is beyond the limits of national jurisdiction of any State. The Government of the People's Republic of China shall ensure that the pioneer activities are conducted in a manner compatible with the United Nations Convention on the Law of the Sea.

8. The application area of China covers a total of 300,000 km^2, but this is not a single, continuous area. It consists of three areas referred to as Area CA, Area CB and Area CS respectively.

(1) Area CA, consisting of 5 sectors: CA_1 (43,266 km^2), CA_2 (7,591 km^2), CA_3 (2,370 km^2), CA_4 (20,231 km^2) and CA_5 (76,542 km^2), and totalling 150,000 km^2, is to be reserved for the Authority.

(2) Area CB, consisting of 5 sectors: CB_1 (21,253 km^2), CB_2 (25,428 km^2), CB_3 (6,831 km^2), CB_4 (17,269 km^2) and CB_5 (26,919 km^2), and totalling 97,700 km^2, is hoped to be allocated to the applicant as a part of the pioneer area of 150,000 km^2.

(3) Area CS, consisting of 3 sectors CS_1 (23,616 km^2), CS_2 (4,934 km^2) and CS_3 (23,750 km^2), and totalling 52,300 km^2, should be designated as the pioneer area for incorporation in the total area of 150,000 km^2 to be allocated to the applicant in accordance with the statement on the

implementation of resolution II of the Preparatory Commission of 5 September 1986 (LOS/PCN/L.41/Rev.1, annex), the statement of understanding on the implementation of resolution II of 10 April 1987 (LOS/PCN/L.43/Rev.1), the Report of the Group of Technical Experts to the General Committee of the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea on the application of the Government of the Republic of India for registration as a pioneer investor under resolution II of the Third United Nations Conference on the Law of the Sea (LOS/PCN/BUR/R1) and the Decision adopted on 17 August 1987 by the General Committee of the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea on the application of the Government of India as a pioneer investor under resolution II (LOS/PCN/94).

9. The People's Republic of China as a certifying State states that COMRA agrees to make the payment of $US 250,000 as the fee for registration as a pioneer investor and for the allocation of a pioneer area as soon as the applicant is advised by the Preparatory Commission.

10. The applicant undertakes to comply with the provisions of resolution II of the Third United Nations Conference on the Law of the Sea, including paragraph 12. It will also conduct its pioneer activities in accordance with the relevant provisions of resolution II and with the principles relating to the preservation of the marine environment as set out in the United Nations Convention on the Law of the Sea.

11. The data and information referred to in paragraph 3 (a) of resolution II are attached to this Application in a sealed envelope because of their confidential character.

ANNEX I

CERTIFICATE OF EXPENDITURE CONCERNING PIONEER ACTIVITIES

This is to certify that the total expenditure incurred up to 31 December 1984 by the China Ocean Mineral Resources Research and Development Association in pioneer activities as defined in paragraph 1 (b) of resolution II of the Third United Nations Conference on the Law of the Sea is more than $US 30 million (calculated in constant dollars relative to 1982) and more than 10 per cent of this expenditure has been expended in the location, survey and evaluation of the area referred to in paragraph 3 (a) of resolution II.

YAN Hongmo
Administrator
State Oceanic
Administration of China

Beijing, China

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PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEA-BED AUTHORITY
AND FOR THE INTERNATIONAL TRIBUNAL
FOR THE LAW OF THE SEA
New York, 13-31 August 1990

LETTER DATED 28 AUGUST 1990 FROM THE CHAIRMAN OF THE GROUP OF LAND-LOCKED AND GEOGRAPHICALLY DISADVANTAGED STATES ADDRESSED TO THE CHAIRMAN OF THE PREPARATORY COMMISSION

On behalf of the Group of Land-Locked and Geographically Disadvantaged States I have the honour to draw your attention to the issue of the representation of the Group in the organs of the International Sea-Bed Authority.

In particular, the United Nations Convention on the Law of the Sea provides in its article 161, relating to the composition of the Council, for a formula for a reasonably proportionate representation of land-locked and geographically disadvantaged States, thus recognizing the interests of this Group. The Group of Land-Locked and Geographically Disadvantaged States would welcome the opportunity to take up the question of its representation in the organs of the International Sea-Bed Authority at an appropriate time.

I kindly request you to bring the contents of the present letter to the attention of the Preparatory Commission.

(Signed) Helmut TUERK
Chairman of the Group of
Land-Locked and Geographically
Disadvantaged States

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PREPARATORY COMMISSION FOR THE
INTERNATIONAL SEA-BED AUTHORITY
AND FOR THE INTERNATIONAL
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New York, 13-31 August 1990

DECISION ADOPTED BY THE GENERAL COMMITTEE ON BEHALF OF THE PREPARATORY COMMISSION CONCERNING THE APPLICATION SUBMITTED BY THE PEOPLE'S REPUBLIC OF CHINA ON BEHALF OF THE CHINA OCEAN MINERAL RESOURCES RESEARCH AND DEVELOPMENT ASSOCIATION (COMRA) FOR REGISTRATION AS PIONEER INVESTOR

The Preparatory Commission, having received on 22 August 1990 an application from the People's Republic of China on behalf of the China Ocean Mineral Resources Research and Development Association for registration as a pioneer investor under resolution II of the Third United Nations Conference on the Law of the Sea,

DECIDES:

1. To convene a meeting of the Group of Technical Experts to examine and report to the General Committee on said application, in accordance with the provisions of document LOS/PCN/L.41/Rev.1 of 5 September 1986, for a period not exceeding one week from 10 to 14 December 1990 in New York;

2. To authorize the Secretary-General to pay the travel costs and per diem of the members of the Group of Technical Experts and other incidental expenditures related to the processing and registration of the application out of the special account established for the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea from the registration fees paid by the pioneer investors. The expenditures incurred for the registration of the application submitted by China are to be charged against the fees to be paid by China for such registration as required under resolution II;

3. To convene the General Committee of the Preparatory Commission during its ninth session to be held at Kingston in February-March 1991 in order to consider the application for registration as a pioneer investor submitted by China, taking into account the report and the recommendations of the Group of Technical Experts.

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